

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington D.C. 20554

Accepted/Files

JAN 22 2015

Federal Communications Commission  
Office of the Secretary

In re Matter of )

MMK License LLC )  
Complainant )

v. )

Electric Plant Board of Glasgow )  
Defendant )

Retransmission Consent )  
Negotiations for WNKY(TV) )  
Bowling Green, KY )

File No. CSR-8900-C  
MB Docket No. 15-12

**DOCKET FILE COPY ORIGINAL**

To: Secretary, FCC  
Attn: Chief, Media Bureau

**ANSWER TO COMPLAINT**

**FOR PUBLIC DISCLOSURE**

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January 20, 2015

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## **EXECUTIVE SUMMARY**

The Glasgow Electric Plant Board ("GEPB") is a municipally-owned electric power, cable television, and internet services utility serving Glasgow, Kentucky. MMK License LLC ("MMK") is the licensee of the commercial television station WNKY, the in-market affiliate of both CBS and NBC in Glasgow. The two parties were unable to reach a timely retransmission agreement after MMK failed to communicate a price proposal, despite numerous requests by GEPB, until just before the end of the retransmission cycle. Moreover, the offer that MMK finally presented was more than ten times its 2014 retransmission rates and more than any other broadcaster. Had MMK presented a timely proposal, even its outrageous one, the parties might have been able to work out a compromise before January 1, 2015. But without any price proposal in hand, and with no idea of when, if ever, it would get one, GEPB was forced to make alternative arrangements. Although WNKY is not currently on GEPB's cable system, GEPB has been actively working to reach an agreement with MMK in order to reinstate WNKY on its system, but it has not yet received a response.

Given these circumstances, GEPB submits that the Commission should dismiss this action. GEPB is under no duty to come to an agreement with MMK, even if it has better alternatives, but only to negotiate in good faith. GEPB has at all times done so, and MMK has not. There is no reason for the Commission to intervene in this matter.

### **I. Introduction**

On September 9, 2014, GEPB received a letter from MMK indicating that it had elected to pursue retransmission consent fees for WNKY as opposed to invoking its must-carry rights.<sup>1</sup> From early October through November, GEPB attempted to contact MMK in order to initiate negotiations for a retransmission consent agreement, but GEPB did not receive a response. MMK provided a draft agreement in mid-November, but it did not include any proposed rates.<sup>2</sup> MMK informed GEPB that it would fill in the rates at a later date.

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<sup>1</sup> See Exhibit 1.

<sup>2</sup> See Exhibit 3.

MMK ultimately proposed a retransmission rate on November 18, 2014.<sup>3</sup> This was the same day that GEPB's Programming Committee had scheduled to review retransmission proposals from all broadcasters and less than two weeks before GEPB was required to give notice to its customers of any changes in the existing lineup. Despite knowing it was late in the negotiation cycle and "fully expect[ing]"<sup>4</sup> GEPB to reject its initial offer, MMK proposed [REDACTED] per subscriber for WNKY's CBS and NBC channels, a rate that was *ten times* its current retransmission rate and far higher than any other proposed rate GEPB received from other broadcasters.<sup>5</sup> Making the proposed ten-fold rate increase even more staggering, GEPB had previously had discussions with WNKY about enhancing its local content, but WNKY had not improved its programming since these discussions. GEPB contends that MMK's offer was unreasonable, but even had the proposal been reasonable, it was proposed far too late for MMK and GEPB to begin the negotiation process in time to reach an agreement before December 1, 2014. Thus, GEPB was forced to make other arrangements,

On Wednesday, November 26, GEPB sought to send a hand-delivered letter to WNKY informing it of GEPB's decision not to carry WNKY.<sup>6</sup> Because the office was locked and closed, GEPB's messenger could not deliver the letter, so GEPB sent an email to Jeff Cash, the President and General Manager of WNKY, and sent the same message in a letter via certified mail.<sup>7</sup>

On December 23, 2014, John Trinder, President and COO of MMK, responded with a request to extend negotiations through January 31, 2015, in order to give the parties more time to reach an agreement.<sup>8</sup> MMK also began deploying television and newspaper messages attacking GEPB with misleading information.<sup>9</sup>

On December 26, 2014, GEPB responded that MMK's delays and lack of communication

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<sup>3</sup> See Exhibit 5.

<sup>4</sup> See MMK Complaint at 4.

<sup>5</sup> See Exhibit 6 at 2.

<sup>6</sup> See Exhibit 7.

<sup>7</sup> See Exhibits 8, 9.

<sup>8</sup> See Exhibit 11.

<sup>9</sup> See Exhibit 10.



had forced GEPB to contract with NBC and CBS broadcasters from Nashville. GEPB explained that, due to bandwidth restrictions, it could not host WNKY as well as the new channels until it completed an analog upgrade. GEPB continued that after the upgrade was complete (March 31, 2015) it would have the space to return WNKY to its station and would offer [REDACTED] per subscriber per month.<sup>10</sup> MMK did not respond to this offer and instead initiated these proceedings.

Specifically, on December 31, 2014, MMK filed a complaint with the FCC claiming that GEPB failed to negotiate in good faith. MMK claims that GEPB refused to negotiate, refused to respond to its proposal, and did not provide reasons for rejecting its proposal. GEPB denies all these allegations. It has shown, time and again, that it wanted to negotiate. Most recently, during GEPB's committee meeting on January 14, 2015, GEPB verbally offered a representative of MMK a plan that would allow WNKY to be reinstated on GEPB's cable system by the end of January and proposed a rate of [REDACTED] for the WNKY channels per subscriber per month, a 100% price increase over the 2014 retransmission rates.<sup>11</sup> MMK's representative did not respond to GEPB's offer at the meeting. This offer was also submitted to Mr. Trinder in writing on January 14, 2015.

In addition to denying MMK's allegations, GEPB affirmatively asserts that MMK failed to negotiate in good faith by unreasonably delaying negotiations and through its actions considered in the aggregate.

## **II. GEPB Acted in Good Faith Throughout the Negotiations**

Section 76.65 of the Commission's rules requires that broadcasters and cable distributors negotiate retransmission consent agreements in good faith.<sup>12</sup> The rules provide seven specific actions that would constitute a *per se* good faith violation and a totality of the circumstances test to determine whether a negotiating party breached its good faith duty. Of the seven specific standards, MMK lists two of them as indicating GEPB breached its good faith duty. First, MMK alleges that GEPB refused to negotiate retransmission consent. Second, MKK alleges that GEPB failed to respond to the other party's

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<sup>10</sup> See Exhibit 12.

<sup>11</sup> See Exhibit 13.

<sup>12</sup> 47 C.F.R. § 76.65

retransmission consent proposal, and must provide the reasons for rejecting any such proposal. Both of these allegations will be rebutted in turn.

#### **A. GEPB Made Many Attempts to Negotiate with MMK**

MMK alleges that GEPB violated its good faith duty by refusing to negotiate.<sup>13</sup> This allegation is patently untrue. From nearly the moment GEPB received MMK's letter announcing that it had elected to pursue a retransmission consent agreement, GEPB repeatedly tried to initiate negotiations. GEPB attempted to contact MMK numerous times, but from early October until mid-November, GEPB received no response from MMK. On November 14, a MMK representative sent a draft version for a new retransmission consent agreement. MMK acknowledged that the draft did not contain the retransmission rates, but stated that they would be filled in soon.<sup>14</sup> Three days later, GEPB asked if the rates were available, informing MMK that GEPB's meeting was "still set for tomorrow night."<sup>15</sup> The meeting referred to in GEPB's email was GEPB's programming meeting where it would elect its lineup for 2015. MMK responded the next day, the day of GEPB's meeting, with its proposed rates.

MMK's last-minute proposal put GEPB in a difficult position. GEPB and MMK's 2014 retransmission agreement was set to expire on December 31, 2014. Current FCC rules required that cable operators give their subscribers and any affected television channels at least 30 days notice of any changes to their channel lineups.<sup>16</sup> Thus, GEPB needed to announce any changes in channels by December 1, 2014. By making its first proposal on November 18, 2014, MMK gave GEPB less than two weeks to finalize its channel lineup and inform its subscribers. Moreover, the proposal was made on the day GEPB had planned to choose its 2015 lineup. GEPB informed MMK of this fact, and still MMK delayed in providing their proposed rates. Had MMK provided its proposal earlier, GEPB could have negotiated prices before the meeting.

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<sup>13</sup> 47 C.F.R. § 75.65 (b)(1)(i).

<sup>14</sup> See Exhibit 3.

<sup>15</sup> See Exhibit 4.

<sup>16</sup> 47 U.S.C. § 534(b)(9). See also, Amendment of the Commission's Rules Related to Retransmission Consent, NPRM, Federal Communications Commission, p. 33 (March 3, 2011), available at: [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-11-31A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-11-31A1.pdf)



In addition, the last-minute proposal blindsided GEPB with a rate of [REDACTED] per subscriber per month for WNKY's CBS and NBC channels. This was the highest proposal GEPB received and represented a 1000% increase over its 2014 rates of [REDACTED] per subscriber per month for the same channels. The next highest percentage increase was a [REDACTED] increase from WHAS in Louisville. [REDACTED]<sup>17</sup> GEPB was shocked to receive MMK's proposal, especially in light of their discussions to improve programming at WNKY. GEPB made it clear it was unsatisfied with the programming on WNKY. It requested that WNKY include more local content, which WNKY agreed to do, but has yet to act on its promise. Given the late proposal, the date of the scheduling meeting, the dramatic increase in proposed rates, and the quality of WNKY's programming, GEPB believed that it had to make alternative arrangements in order to meet its December 1<sup>st</sup> notice deadline.

This, however, does not mean that GEPB *refused* to negotiate. GEPB had attempted to negotiate for months. On November 26, 2014, GEPB wrote to MMK to announce that it could not accept MMK's offer and would thus have to remove WNKY from its station. MMK's management did not respond until December 23, 2014, requesting GEPB extend the retransmission negotiation period and provide a counter offer. GEPB responded by email three days later, saying that it did not have the bandwidth to offer WNKY in addition to WNKY's replacement channels until it completed its digital conversion in 2015. After the conversion, GEPB offered to return WNKY to its channels for a rate of [REDACTED] per subscriber per month, a rate reflecting WNKY's diminished value after contacting with other NBC and CBS broadcasters. MMK, however, did not respond to this offer and, instead, initiated these proceedings.

As a further indication of its efforts to negotiate, on January 14, 2015, GEPB proposed a new offer to reinstate WNKY to the temporary channels at the end of January, relocating WNKY after the digital conversion was completed, and offering to pay MMK [REDACTED] per subscriber per month for WNKY's channels. This offer represented a 100% increase in current rates and a realistic solution to return WNKY to GEPB's system. GEPB first made the offer verbally to a MMK representative who attended the meeting. The

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<sup>17</sup> See Exhibit 6 at 2-4. GEPB also elected to drop WHAS from its lineup.

representative of MMK did not respond to this proposal. GEPB made the same offer in writing to MMK's President and COO, Mr. Trinder.

GEPB has made attempt after attempt to negotiate. It contacted MMK multiple times to begin negotiations and it made to counter-offers after MMK's initial offer. MMK has not responded to either counter-offer. Even if, ultimately, the parties are unable to reach an agreement, it cannot be argued the GEPB failed to make a good faith attempt to negotiate.<sup>18</sup>

#### **B. GEPB Responded to MMK's Eventual Offer**

MMK also alleges that GEPB breached its good faith duty by failing to respond to its proposal and failing to provide reasons for its rejection.<sup>19</sup> This allegation is unsupported by the facts. GEPB responded to MMK's proposal on Wednesday, November 26, 2014. An affidavit shows that a GEPB employee attempted to deliver the letter by hand at 1:45 p.m. that day, but WNKY's office was locked and appeared to be closed. GEPB sent an email to WNKY's President and General Manager, Jeff Cash, and delivered the letter to the WNKY's office via certified mail. This initial letter rejected MMK's proposal and stated GEPB would not be offering WNKY in 2015.

While Mr. Trinder acknowledged that "someone at [the] station did sign for the registered letter" he complains that none of the management was aware of it until GEPB's Superintendent sent a follow up email. Mr. Trinder also states that Jeff Cash could not receive emails because he had surgery and was unable to keep up with his responsibilities. While GEPB certainly regrets Mr. Cash's ill health and it is also possible that the employee who signed for the certified letter failed to deliver GEPB's letter to management, GEPB took multiple, reasonable steps to deliver its response to MMK. Even if MMK's management did not receive GEPB's response as promptly as it wished, this does not invalidate the fact that GEPB submitted its response to MMK.

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<sup>18</sup> 47 U.S.C. § 325(b)(3)(C)(iii).

<sup>19</sup> 47 C.F.R. 76.65 (b)(1)(v).



GEPB sent an additional letter to MMK on December 26, 2014. In this letter, GEPB not only provided a counter-offer to MMK's proposal, but also explained why it could not accept MMK's initial offer. In the letter, GEPB explained that during its November 18<sup>th</sup> meeting GEPB's Programming Committee had weighed MMK's offer and decided to reject it given "the quality of WNKY's programming," the fact the GEPB felt it was already paying too much for WNKY, and the problems "in attempting to conduct business" with MMK.<sup>20</sup> Through its letters on November 26 and December 26, 2014, GEPB fulfilled its duty to respond to MMK's proposal and give its reasons for rejecting the proposal.

### **III. MMK Did Not Act in Good Faith**

GEPB asserts that throughout the retransmission negotiation cycle MMK has failed to communicate which ultimately caused unreasonable delays in negotiations and has demonstrated MMK's refusal to work towards reaching a satisfactory agreement.

#### **A. MMK Unreasonably Delayed the Retransmission Negotiations**

The Commission's rules state that if a negotiating party's actions "unreasonably delays retransmission consent negotiations" it is a *per se* breach of that party's good faith duties.<sup>21</sup> The Commission noted there are a variety of policy reasons that compel this rule. Among them, negotiating parties have reported instances where negotiations have been "adversely affected by a party – either a broadcaster or an MVPD – delaying the commencement or progress of a negotiation as a tactic to gain advantage rather than out of necessity."<sup>22</sup>

Here, MMK continuously acted in a way that delayed the retransmission consent negotiations. GEPB made numerous attempts to contact MMK from early October until mid-November to begin negotiations. MMK ignored all of GEPB's attempts to negotiate for nearly two months. In mid-November, MMK finally responded with a draft

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<sup>20</sup> See Exhibit 13.

<sup>21</sup> 47 C.F.R. 76.65 (b)(1)(iii).

<sup>22</sup> Amendment of the Commission's Rules Related to Retransmission Consent, NPRM, Federal Communications Commission, p. 16 (March 3, 2011), available at: [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-11-31A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-11-31A1.pdf)

agreement without any proposed rates. It was not until the date that GEPB was meeting to determine its 2015 lineup, a fact which MMK knew, that it provided any proposed rates. Furthermore, MMK provided no reasonable justification for this delay. MMK's representative pointed to "additional requirements and new fees" as a potential cause, but also acknowledged that MMK's last minute proposal "would only raise suspicions and question motives."<sup>23</sup> GEPB cannot know whether MMK's failure to present a proposal until the end of the retransmission negotiation process was a tactical decision, but the delay made it impossible for GEPB to fully negotiate the terms of the proposal with MMK before its deadline to give notice to its subscribers and forced GEPB to make alternative arrangements.

**B. The Totality of the Circumstances Show MMK's Unwillingness to Negotiate**

The Commission can also consider the totality of the circumstances to determine if a negotiating party has failed to negotiate in good faith.<sup>24</sup> Considering MMK's actions in the aggregate, the Commission could find that MMK continues to foreclose any possibility of reaching an acceptable agreement. On December 26, 2014, GEPB provided a counter offer that reflected WNKY's value as a duplicative channel and acknowledged GEPB's own bandwidth limitations. MMK did not respond to this proposal. Then, on January 14, 2015, GEPB orally proposed a retransmission rate that would be a 100% increase from the 2014 retransmission rates and proposed to move WNKY from the temporary channels after the digital conversion was completed. Again, MMK has not responded to this proposal. Instead, since December 26, 2014, MMK has initiated this proceeding ignoring GEPB's willingness to negotiate. Furthermore, MMK has launched a smear campaign against GEPB. It has written misleading letters to the community in local newspapers as well as letters to local politicians. It has also had its own employees call GEPB to protest GEPB's decision to remove WNKY. The totality of MMK's actions show that its unwillingness to negotiate in good faith.

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<sup>23</sup> See Exhibit 11.

<sup>24</sup> 47. C.F.R. 76.65(b)(2).

#### **IV. Conclusion**

GEPB acted in good faith during these negotiations. It made multiple attempts to begin negotiations with MMK within a reasonable time. Although GEPB could not accept MMK's last minute proposal, it has since presented two counter offers to MMK. MMK has not responded to either proposal. Given the insufficiency of MMK's claims against GEPB, and GEPB's own desire to negotiate in good faith, the FCC should dismiss MMK's complaint.



## Exhibit 1



September 9, 2014

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Billie Ray  
General Manager  
Glasgow EPB  
100 Mallory Dr  
Glasgow, KY 42141

US Postal Certification #:7006 0810 0004 7237 5073

Re: Election of Retransmission Consent Status

Dear Eddie:

MMK License LLC, licensee of television station WNKY-TV ("Station"), channel 16, licensed to Bowling Green, KY, and serving the Bowling Green, KY DMA, pursuant to Section 76.64(f) of the rules and regulations of the Federal Communications Commission ("FCC"), hereby elects to invoke its right under Section 325(b) of the Communications Act of 1934, as amended, and Section 76.64(a) of the FCC's rules, to have the Station's signal carried on Glasgow EPB, or its affiliated cable system(s) only with its express consent. This election shall apply to all communities located wholly or partially within Station's defined market, including but not limited to the headends serving the community of GLASGOW, KY, for the period beginning January 1, 2015 and ending December 31, 2017.

Please contact me, or ATV Broadcast, LLC at 317-566-1563 immediately if you have any questions concerning this election. We look forward to continued service to your subscribers.

Sincerely,

Jeff Cash  
President & General Manager

cc: Public File





VENUE  
KY 42101  
PHONE  
FAX



7006 0810 0004 7237 5073



Glasgow EPB  
Eddie Russell Billy Ray  
100 Mallory Dr  
Glasgow, KY 42141  
ing.



## Exhibit 2

## Blog Archive

### ▼ 2014 (15)

► December (2)

► November (1)

▼ October (2)

[An Update on Cable](#)

[Programming](#)

[Changes and](#)

[Negotia...](#)

[New Criminal Activity](#)

[in Glasgow -- Wire](#)

[Tells](#)

► August (1)

► July (1)

► June (2)

► March (1)

► February (2)

► January (3)

► 2013 (11)

► 2012 (12)

► 2011 (21)

► 2010 (22)

► 2009 (33)

► 2008 (42)

► 2007 (19)

Wednesday, October 29, 2014

## An Update on Cable Programming Changes and Negotiations

10:35 AM | Posted by Billy Ray | 0

It is fall in Glasgow. The leaves and landscape are changing, and some changes are coming to EPB's cable television lineup as well.

Like so many times over the last few months, our negotiations with the programming providers are causing us to reconsider what channels we offer. The first change is about to result in G4 (EPB Channel 147 and HD Channel 552) being dropped from our system on November 20.

As in most programming changes, the reason for this change comes down to money. NBC Universal owns G4, and has announced they will discontinue it in the near future. They also own NBC Sports Network. NBC has just purchased rights to some NASCAR races and has increased the cost of NBC Sports Network to cover the cost of this programming. In order to help us pay the increased cost, they gave us a chance to drop G4, and we are going to take it so as to keep our programming cost increases down.

This is not the last change you will see before the end of the year. We are in discussion with the broadcast stations in Bowling Green, Louisville, and Nashville. The early indications are that the broadcasters are going to ask for whopping increases in the fees we must pay to carry many of those stations. Already one broadcaster has asked for a nearly 400% increase! Simply put, we are not going to pay such ridiculous fees because we would simply have to pass them along to you. Any station that makes such a demand will very likely be dropped from our system at the end of the year.

These discussions will be going on throughout the month of November. We will keep you posted, and even ask for your advice, via our social networking sites so we can make sure to represent your feelings correctly in these discussions.

Stay tuned. The programmers are not through socking it to us through their fee demands. In January we will have to adjust our cable rates to reflect all of our new costs for programming agreements signed during the last half of 2014. We will tell you how all of this is going as soon as we have deals completed.

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## About Me

[Billy Ray](#)

[Josh Francis](#)

[Amanda Blanton](#)

[Shelia Hogue](#)

### Exhibit 3





\*Protecting Your Email\*

**MagicMail**

**Subject** MM WNKY and Glasgow Electric Plant Board - RTC Agreement @ 11-14-14  
**Sender** Nick Arnold [REDACTED]  
**Recipient** Eddie Russell [REDACTED]  
**Date** Nov 14, 2014

- WNKY\_and\_Glasgow\_Electric\_Plant\_Board\_2014\_Digital\_RTC\_Draft\_11\_14\_14.docx (65 KB)

Hello Eddie,

Per our conversation earlier today, I'm sending a draft version of the new Retransmission Consent Agreement between WNKY and Glasgow Electric Plant Board.

As soon as I received confirmation of the approved rates, I will fill in the appropriate information and resend the Agreement for your review.

After you have had a chance to review the Agreement, please let me know if you have any questions or need additional information.

My contact information is included below.

Thank you.

Respectfully yours,

Nick Arnold  
ATV Broadcast, LLC



## Exhibit 4



Protecting Your Email™

**MagicMail**

**Subject** Re: MM WNKY and Glasgow Electric Plant Board - RTC Agreement @ 11-14-14  
**Sender** Nick Arnold [REDACTED]  
**Recipient** eddie@glasgow-ky.com [REDACTED]  
**Date** Nov 17, 2014

Hi Eddie,

I am still waiting for the approved rates.

I will try to get an answer for you tomorrow.

I will let you know the moment I hear anything.

Thanks for your patience.

Nick

-----Original Message-----

From: [REDACTED]  
Sent: Monday, November 17, 2014 5:09 PM  
To: Nick Arnold  
Subject: Re: MM WNKY and Glasgow Electric Plant Board - RTC Agreement @ 11-14-14

Hi Nick,

Just checking in with you to see if you have pricing from WNKY? Our meeting is still set for tomorrow night.

Thanks,

Eddie

On Fri, 14 Nov 2014 17:15:16 -0500, "Nick Arnold"  
[REDACTED] wrote:

Hello Eddie, Per our conversation earlier today, I'm sending a draft version of the new Retransmission Consent Agreement between WNKY and Glasgow Electric Plant Board. As soon as I received confirmation of the approved rates, I will fill in the appropriate information and

resend

the Agreement for your review. After you have had a chance to review the Agreement, please let me know if you have any questions or need additional information. My contact information is included below. Thank you. Respectfully yours, Nick Arnold ATV Broadcast, LLC

11650 Lantern Road, Suite 104

Fishers, IN 46038  
[REDACTED]



## Exhibit 5



"Protecting Your Email"™

**MagicMail**

**Subject** Re: MM WNKY and Glasgow Electric Plant Board - RTC Agreement @ 11-14-14  
**Sender** Nick Arnold [REDACTED]  
**Recipient** eddie@glasgow-ky.com [REDACTED]  
**Date** Nov 18, 2014

- WNKY\_and\_Glasgow\_Electric\_Plant\_Board\_2014\_Digital\_RTC\_Draft\_11\_18\_14.docx (68 KB)

Hi Eddie,

Thanks for returning my call.

Per our conversation, attached is the Agreement with rates included.

Please let me know if you have any questions.

Thanks again.

Nick

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Monday, November 17, 2014 5:09 PM  
**To:** Nick Arnold  
**Subject:** Re: MM WNKY and Glasgow Electric Plant Board - RTC Agreement @ 11-14-14

Hi Nick,

Just checking in with you to see if you have pricing from WNKY? Our meeting is still set for tomorrow night.

Thanks,

Eddie

On Fri, 14 Nov 2014 17:15:16 -0500, "Nick Arnold"

[REDACTED] wrote:

Hello Eddie, Per our conversation earlier today, I'm sending a draft version of the new Retransmission Consent Agreement between WNKY and Glasgow Electric Plant Board. As soon as I received confirmation of the approved rates, I will fill in the appropriate information and

resend

the Agreement for your review. After you have had a chance to review the Agreement, please let me know if you have any questions or need additional information. My contact information is included below. Thank you. Respectfully yours, Nick Arnold ATV Broadcast, LLC

11650 Lantern Road, Suite 104

1/5/2015

MagicMail Webmail :: Re: MM WNKY and Glasgow Electric Plant Board - RTC Agreement @ 11-14-14



## Exhibit 6



The regular meeting of the Glasgow Electric Plant Board Cable Television Programming Committee was held at 6:00 p.m., November 18, 2014, at 100 Mallory Drive, Glasgow, Kentucky.

The meeting was called to order by Chairperson William Ray presiding and the meeting was recorded by Secretary Mary Burchett-Bower.

Present were William Ray, Petie McLean, Mary Burchett-Bower, Beverly Vance, Karl Napier, and Jodi Crane, said persons being all the members of the Committee except Joe Trigg. Also present were Cable Operations Manager, Eddie Russell and Marketing Manager, Shelia Hogue.

The Chairperson declared the first item of business would be the reading of the minutes of the last regular meeting. A motion was made by Petie McLean to dispense with the reading of the minutes of the previous meeting and accept the minutes as submitted electronically. The motion was seconded by Jodi Crane and unanimously voted in the affirmative.

At the call of the Chairperson for the next item of business, a motion was made by Beverly Vance to ratify the action of the Glasgow EPB Board of Directors passed at their meeting held on October 28 to drop G4 from the EPB channel lineup as of November 30. This motion was seconded by Karl Napier and unanimously voted in the affirmative.

The Chairperson then stated that the next item of business would be a report on the current status of the retransmission consent negotiations at which time Eddie Russell presented the various broadcast demands as follows::

